

6 wherein a thickness of the gate dielectric, t, is less than one-third a length of the gate  
7 electrode with up to a dielectric constant, k, of:

8  $k = k_{ox}(t/t_{ox})$

9 where  $k_{ox}$  is the dielectric constant for a silicon dioxide film, and

10  $t_{ox}$  is an equivalent silicon dioxide thickness for the gate length.

1 15. (Amended) An apparatus comprising:

2 a semiconductor substrate having a transistor device formed thereon, the transistor device

3 having a gate dielectric disposed directly between a surface of the substrate and a gate electrode

4 comprising:

5 a first dielectric material having a first dielectric constant; and

6 a second dielectric material having a second dielectric constant different from the first

7 dielectric constant,

8 wherein a thickness of the gate dielectric, t, is less than one-third a length of the gate

9 electrode with up to a dielectric constant, k, of:

10  $k = k_{ox}(t/t_{ox})$

11 where  $k_{ox}$  is the dielectric constant for a silicon dioxide film, and

12  $t_{ox}$  is an equivalent silicon dioxide thickness for the gate length.

#### REMARKS

In the parent application, claims 8-21 were examined. With the Preliminary Amendment, independent claims 8 and 15 are amended. Claims 8-21 remain in the application.

In the parent application, the Patent Office rejected claims 8-9, 12-13, 15-16 and 19-20 under 35 U.S.C. §102(e). The Patent Office rejects claims 10-11, 14, 17-18, and 21 under 35